

**UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

IN RE:

NEHEMIAH ALONZO HEAD, SR. : CHAPTER 13  
:   
Debtor. : CASE NO.: 18-50800-WLH

**AMENDED POST CONFIRMATION MODIFICATION OF PLAN  
AND REQUEST FOR APPROVAL**

Debtor proposes to modify the confirmed Chapter 13 plan in this case as set forth below and requests that this modification be approved.

**MODIFICATION OF PLAN**

Debtors hereby modify the Chapter 13 Plan, which was confirmed by order of this Court on July 23, 2018, as follows:

1. Debtor hereby modifies Section 2.1 of the Plan as follows:

**“Regular Payments to the trustee; applicable commitment period.**

The applicable commitment period for the debtor(s) as set forth in 11 U.S.C. § 1325(b)(4) is:

Check one: ☒ 36 months ☐ 60 months

Debtor(s) will make regular payments (“Regular Payments”) to the trustee as follows:

The debtor(s) will pay **\$389.00** per **Month** for the applicable commitment period. If the applicable commitment period is 36 months, additional Regular Payments will be made to the extent necessary to make the payments to creditors specified in this plan, not to exceed 60 months unless the Bankruptcy Court orders otherwise. If all allowed claims treated in § 5.1 of this plan are paid in full prior to the expiration of the applicable commitment period, no further Regular Payments will be made.

*Check if applicable.*

- ☐ The amount of the Regular Payment will change as follows (*If this box is not checked, the rest of § 2.1 need not be completed or reproduced. Insert additional lines as needed for more changes.*):”

2. Debtor hereby modifies Section 3.3 of the Plan as follows:

Name of Creditor	Collateral	Purchase date	Estimated amount of claim	Interest rate	Monthly preconfirmation adequate protection payment	Monthly postconfirmation payment to creditor by trustee
Uaa	2007 Yukon Denali 168000 miles	Opened 3/09/17 Last Active 12/15/17	\$11,158.00	5.25%	\$100.00	\$175.00 increasing to 345.00 June 2020

3. Debtor hereby modifies Section 4.3(e) of the Plan as follows:

“The unpaid balance and any additional amounts allowed under § 4.3(c) will be payable (1) at \$ 170.00 per month from Regular Payments and (2) from Tax Refunds or Additional Payments, as set forth in § 2.6, until all allowed amounts are paid in full.”

4. Debtor hereby modifies Paragraph Section 8.1 of the Plan as follows:

**“Check “None” or List Nonstandard Plan Provisions.**

☐ **None.** *If “None” is checked, the rest of Part 8 need not be completed or reproduced.*

*Under Bankruptcy Rule 3015(c), nonstandard provisions must be set forth below. A nonstandard provision is a provision not otherwise included in this N.D. Ga. Chapter 13 Plan Form or deviating from it. Nonstandard provisions set out elsewhere in this plan are ineffective.*

***The following plan provisions will be effective only if there is a check in the box “Included” in § 1.3. (Insert additional lines if needed.)***

Debtor’s Student loans will be paid directly and are not to be paid as part of this Chapter 13 Plan. In the event Debtor’s student loans are no longer in deferment or forbearance Debtor will promptly file an amended budget with the Court.”

5. The amended Chapter 13 Plan payment amount shall be effective retroactively commencing with the July 2018 payment.

This Plan modification (i) decreases the monthly plan payment from \$1014.00 down to \$389.00 (the confirmed Plan and the budget supporting the confirmed Chapter 13 Plan did not account for Debtor’s non-filing spouses monthly expenses) retroactive to July 2018, (ii) amends the monthly post confirmation payments to Uaa on Debtor’s vehicle, (iii) decreases the monthly payment towards attorney’s fees from \$618.00 down to \$170.00 per month, and (iv) provides that student loans are to be paid directly and not through the Chapter 13 Plan.

Respectfully submitted this 8th day of November, 2018.

\_\_\_\_\_/s/  
Howard P. Slomka  
Georgia Bar #652875  
Attorney for the Debtor  
Slipakoff & Slomka, PC  
Overlook III  
2859 Paces Ferry Rd, SE  
Suite 1700  
Atlanta, GA 30339

**UNITED STATES BANKRUPTCY COURT  
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IN RE:

NEHEMIAH ALONZO HEAD, SR.	:	CHAPTER 13
	:	
Debtor.	:	CASE NO.: 18-50800-WLH

**NOTICE OF FILING OF MODIFICATION OF CONFIRMED PLAN,  
DEADLINE FOR FILING WRITTEN OBJECTIONS AND HEARING DATE  
AND TIME IF OBJECTION IS TIMELY FILED**

**To: Creditors and Other Parties in Interest**

**PLEASE TAKE NOTICE** Debtors have filed and served on you a proposed modification to the confirmed Plan in this case. Pursuant to rule 3015(g) of the federal Rules of Bankruptcy Procedure, any creditor or other party in interest opposing this proposed Modification must file that objection in writing with the Court on or before the following deadline.

**DEADLINE FOR FILING OBJECTION:** Twenty-four (24) days after the date on which this proposed Modification was filed, December 3, 2018. If the twenty-fourth day after the date of filing falls on a weekend or holiday, the deadline is extended to the next business day.

**PLACE OF FILING:** Clerk, U.S. Bankruptcy Court, Room 1340, Richard B. Russell Building, 75 Ted Turner Drive South West, Atlanta, Georgia 30303.

If you mail an objection to the court for filing, you must mail it early enough so the Court will receive it on or before the deadline stated above.

You must also serve a copy on the undersigned at the address stated below and on Debtors at:

Nehemiah Alonzo Head, Sr.  
45 Trelawney Avenue  
Covington, GA 30016

**PLEASE TAKE FURTHER NOTICE** that if an objection to the proposed Modification is timely filed, the Court will hold a hearing on the Modification in Courtroom 1403, Richard B. Russell Building, 75 Ted Turner Drive SW, Atlanta, Georgia 30303 at 2:00 P.M. on December 12, 2018.

Respectfully submitted this 8th day of November, 2018.

/s/  
Howard P. Slomka  
Georgia Bar #652875  
Attorney for the Debtor  
Slipakoff & Slomka, PC  
Overlook III  
2859 Paces Ferry Rd, SE  
Suite 1700  
Atlanta, GA 30339

**UNITED STATES BANKRUPTCY COURT  
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Debtor. : CASE NO.: 18-50800-WLH

**DECLARATION UNDER PENALTY OF PERJURY**

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

\_\_\_\_\_/s/\_\_\_\_\_  
NEHEMIAH ALONZO HEAD, SR.

This 8th day of November, 2018

Penalty of making false statement or concealing property:

Fine of up to \$500,000 or imprisonment for up to 5 years or both. 18 U.S.C. '152 and '3571.

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:   
Debtor. : CASE NO.: 18-50800-WLH

**CERTIFICATE OF SERVICE**

This is to certify that I have this day served a copy of the within and foregoing Amended Modification of Confirmed Plan, in the above styled case by depositing same in the United States mail with the adequate postage affixed thereto to insure delivery addressed as follows:

Nancy J. Whaley, 13 Trustee (served via ECF)  
Suite 120  
303 Peachtree Center Avenue  
Atlanta, GA 30303

Nehemiah Alonzo Head, Sr.  
45 Trelawney Avenue  
Covington, GA 30016

SEE ATTACHED FOR A LIST OF ADDITIONAL CREDITORS

DATE: November 8, 2018

\_\_\_\_\_/s/\_\_\_\_\_  
Howard P. Slomka  
Georgia Bar #652875  
Attorney for the Debtor  
Slipakoff & Slomka, PC  
Overlook III  
2859 Paces Ferry Rd, SE  
Suite 1700  
Atlanta, GA 30339

Label Matrix for local noticing  
113E-1  
Case 18-50800-wlh  
Northern District of Georgia  
Atlanta  
Thu Nov 8 13:09:51 EST 2018

(p)1ST FRANKLIN FINANCIAL CORPORATION  
PO BOX 880  
TOCCOA GA 30577-0880

(p)AUTOMOBILE ACCEPTANCE CORPORATION  
PO BOX 961926  
RIVERDALE GA 30296-6914

Credit One Bank Na  
Po Box 98875  
Las Vegas, NV 89193-8875

Enhanced Recovery Co L  
8014 Bayberry Rd  
Jacksonville, FL 32256-7412

First Premier Bank  
3820 N Louise Ave  
Sioux Falls, SD 57107-0145

(p)GEORGIA DEPARTMENT OF REVENUE  
COMPLIANCE DIVISION  
ARCS BANKRUPTCY  
1800 CENTURY BLVD NE SUITE 9100  
ATLANTA GA 30345-3202

Nehemiah Alonzo Head Sr.  
45 Trelawney Avenue  
Covington, GA 30016-6833

Internal Revenue Service  
PO Box 7346  
Philadelphia, PA 19101-7346

LVNV Funding, LLC its successors and assigns  
assignee of FNB, LLC  
Resurgent Capital Services  
PO Box 10587  
Greenville, SC 29603-0587

LVNV Funding, LLC its successors and assigns  
assignee of North Star Capital  
Acquisition LLC  
Resurgent Capital Services  
PO Box 10587  
Greenville, SC 29603-0587

Lvnv Funding Llc  
C/o Resurgent Capital Services  
Greenville, SC 29602

Nwide Recvry  
3000 Kellway Dr  
Carrollton, TX 75006-3305

Phoenix Financial Serv  
8902 Otis Ave Ste 103a  
Indianapolis, IN 46216-1009

Pinnacle Credit Services, LLC its successors  
assigns as assignee of Celco  
Partnership d/b/a Verizon Wireless  
Resurgent Capital Services  
PO Box 10587  
Greenville, SC 29603-0587

Pinnacle Llc/resurgent  
Po Box 1269  
Greenville, SC 29602-1269

Premier Bankcard, Llc  
Jefferson Capital Systems LLC Assignee  
Po Box 7999  
Saint Cloud Mn 56302-7999

Quantum3 Group LLC as agent for  
Cascade Capital LLC Series A  
PO Box 788  
Kirkland, WA 98083-0788

SFC Central Bankruptcy  
PO Box 1893  
Spartanburg, SC 29304-1893

Security Fin  
C/o Security Finance  
Spartanburg, SC 29304

Howard P. Slomka  
Slipakoff & Slomka, PC  
Overlook III - Suite 1700  
2859 Paces Ferry Rd, SE  
Atlanta, GA 30339-6213

U. S. Attorney  
600 Richard B. Russell Bldg.  
75 Ted Turner Drive, SW  
Atlanta GA 30303-3315

UNITED AUTO ACCEPTANCE  
P. O. BOX 926  
MORROW, GA 30260-0926

US Department of Education  
PO Box 16448  
St. Paul, MN 55116-0448

Us Dept Of Ed/glelsi  
Po Box 7860  
Madison, WI 53707-7860

Wells Fargo Bank  
Po Box 14517  
Des Moines, IA 50306-3517

Nancy J. Whaley  
Nancy J. Whaley, Standing Ch. 13 Trustee  
303 Peachtree Center Avenue  
Suite 120, Suntrust Garden Plaza  
Atlanta, GA 30303-1216

Ryan J. Williams  
Nancy J. Whaley  
Standing Chapter 13 Trustee  
303 Peachtree Center Avenue  
Suite 120  
Atlanta, GA 30303-1286

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

1st Franklin  
135 E Tugalo Street  
Toccoa, GA 30577

Automobile Acceptance  
749 Main St  
Riverdale, GA 30274

Georgia Department of Revenue  
Bankruptcy Division  
Post Office Box 161108  
Atlanta, GA 30321

(d)Uaa  
Pob 960068  
Riverdale, GA 30296

End of Label Matrix  
Mailable recipients 27  
Bypassed recipients 0  
Total 27